

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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May 4, 2004

FROM: **NORMAN A. KANOLD**, Assistant County Administrator
Economic Development/Public Services Group

PETER R. HILLS, County Fire Chief/Fire Warden
San Bernardino County Fire Department

SUBJECT: CONTINUATION OF LOCAL EMERGENCY CONCERNING WILDFIRE-RELATED MUDSLIDE, FLOODING CONDITIONS, AND DEBRIS

RECOMMENDATIONS:

1. Continue the emergency proclamation originally proclaimed by the Chairman of the Board of Supervisors on December 30, 2003, and ratified by the members of the Board on January 6, 2004, concerning wildfire-related mudslide and flooding conditions, which still exists and continues to be an emergency.
2. Continue the emergency proclamation originally proclaimed by the Board of Supervisors on April 20, 2004, which found as a result of the October and November 2003 wildfires in the County, serious health and safety hazards currently exist from debris, including unstable chimneys, walls of fire damaged buildings, and harmful chemicals and other materials that likely remain on unoccupied and/or abandoned property which hazards require immediate remediation and constitute a local emergency.

BACKGROUND INFORMATION: On December 30, 2003, acting as Director of Emergency Services of the County of San Bernardino, the Chairman of the Board of Supervisors signed a Proclamation of Existence of a Local Emergency concerning wildfire-related mudslide and flooding conditions starting December 24 and 25, 2003, which still exists and continues to be an emergency. On January 6, 2004, the Board of Supervisors ratified the action of the Board Chairman made on December 30, 2003.

On April 20, 2004, the Board of Supervisors proclaimed the existence of a Local Emergency resulting from the October and November 2003 wildfires which have caused serious health and safety hazards in the County from debris, including unstable chimneys, walls of fire damaged buildings, and harmful chemicals and other materials that likely remain on unoccupied and/or abandoned property which hazards require immediate remediation and constitute a local emergency. The Board is required to review and continue the proclamation on either 14-day or 21-day intervals in accordance with California Government Code section 8630, if there is a continuance of the above listed local emergencies.

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During a period when the Board meets weekly, the proclamation must be reviewed every 14 days in accordance with Government Code section 8630(c)(2). If the Board does not meet weekly (e.g. due to a holiday), the proclamation must be reviewed every 21 days in accordance with Government Code section 8630(c)(1). The Board last took action to ratify the proclamation on April 6, 2004, and approval of this recommendation would continue the emergency for an additional period in accordance with Government Code section 8630.

As background, the Grand Prix and Old Fires began on October 21 and October 25, 2003, respectively, and burned over 150,000 acres; destroying or damaging over 1,100 structures; and resulting in six deaths in the county. The burned and unstable soils resulting from the fires have caused an extreme potential for erosion, flooding, and major debris flows in and around the County's valley and mountain communities. These conditions were gravely exacerbated by the torrential rainfall, mudslides, and flooding that began on December 24 and 25, 2003. The flooding resulted in various major separate geographical incidents including flash flooding in the Cable Canyon Area of Devore, Waterman Canyon, San Antonio Heights, and Lytle Creek, and a train derailment in the Cajon Pass. These incidents resulted in 15 deaths.

On January 14, 2004, Federal Emergency Management Agency (FEMA) reopened the incident period until February 2, 2004, for the Southern California Wildfire Disaster (FEMA-1498-DR) to include flooding, mud and debris flows because of the fires. On February 4, 2004, FEMA again reopened the incident period until March 31, 2004. These actions allowed the County and cities within San Bernardino County to apply for recovery of wildfire-related mudslide and flooding response costs.

On January 27, 2004, the Board approved procuring a service to establish a "Reverse 9-1-1" warning system, which would provide automated telephone messaging to County residents upon authorization by the County. Under this system, residents could receive a pre-recorded telephone message informing them of impending danger to life or property, voluntary or mandatory evacuation instructions, or other steps to take during an emergency. On February 11, 2004, a task force group discussed contractual provisions with vendor, Dialogic Communications Corporation, and on March 1, 2004, the Purchasing department issued a purchase order to the vendor, which included the final agreement as part of that purchase order. The Task Force Group is in process of obtaining phone number data from Verizon and SBC, which will then be provided to the vendor for inclusion in the Reverse 9-1-1 phone notification system.

County building inspectors have reported that their inspections of fire-damaged buildings in the County resulting from the October and November 2003 wildfires in the County have revealed that these sites, including chimneys of fire-damaged structures, are currently unsafe and these chimneys and other walls on the unoccupied and/or abandoned property may be in danger of collapse. The County's Building Official and County's Public Health Officer concur, that, together with other uncleared fire debris, these conditions pose serious health and safety hazards that require immediate remediation and constitute a local emergency.

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It is appropriate for the County to continue the local emergency proclamation throughout the storm season, due to the probability of additional wildfire-related mudslide and flooding incidents, and debris so long as serious health and safety hazards continue to exist within the County caused by wildfire-related fire debris that require immediate remediation.

REVIEW AND APPROVAL BY OTHERS: This item was reviewed by Land Use Services Department (Michael E. Hays, Land Use Services Director, 387-4141) on April 22, 2004, Department of Public Health (Eric K. Frykman M.D., M.P.H., 387-6218) on April 22, 2004, County Counsel (Deputy Dennis Tilton, 387-5246) on April 23, 2004, and the County Administrative Office (Wayne Thies, Administrative Analyst, 387-5409) on April 23, 2004.

FINANCIAL IMPACT: There is no financial impact associated with this action to continue the proclamation.

SUPERVISORIAL DISTRICTS: All

PRESENTERS: Peter R. Hills 387-5974
Denise L. Benson 356-3998

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